



CITY OF  
TUCSON

DEPARTMENT OF  
URBAN  
PLANNING &  
DESIGN

July 7, 2008

To: Subscriber to the Tucson *Land Use Code (LUC)*

**SUBJECT: SUPPLEMENT NO. 44 TO THE *LAND USE CODE (LUC)***

Dear Subscriber:

Enclosed is Supplement No. 44 to your copy of the City of Tucson *Land Use Code (LUC)*. An explanation of the revisions included in this Supplement is also enclosed.

This Supplement includes Ordinance No. 10548 Neighborhood Preservation Zone (NPZ), adopted by the Mayor and Council on June 10, 2008. In addition, some minor formatting errors have been corrected.

Please recycle and replace pages in your *LUC* as follows.

<b><i>Table of Contents</i></b>		
<b><i>Item</i></b>	<b><i>Remove Old Pages</i></b>	<b><i>Insert New Pages</i></b>
Table of Contents	iii, iv	iii, iv
<b><i>Article II. Zones</i></b>		
Division 8. Overlay Use Zones	119, 120	119, 120
	179.11	179.11-179.16
Division 9. Open Space (OS) Zone	179.12, 179.13	179.17, 179.18
<b><i>Article V. Administration</i></b>		
Division 1. Powers and Duties	322, 323	322, 323
	335.1-335.4	335.1-335.4
<b><i>Article VI. Definitions</i></b>		
Division 2. Listing of Words and Terms	431-434	431-434
<b><i>Index</i></b>		
Index	504, 505	504, 505
<b><i>Appendices</i></b>		
Appendix 1 - Checklist of Up-to-Date Pages	1-3	1-3

Please insert and maintain this instruction sheet in the front of your copy of the *LUC*.

Should you have any questions while replacing these pages, please call me at 791-4505.

Sincerely,

Norma Stevens  
Secretary

Enclosures:      Summary of Amendment  
                         Supplement No. 44

**TUCSON LAND USE CODE (LUC) - SUPPLEMENT NO. 44**

**SUMMARY OF AMENDMENT**

**ORDINANCE NO. 10548**

**ORDINANCE NO. 10548 (Adopted on June 10, 2008)**

The adopted LUC amendment includes the following:

AMENDING THE TUCSON CODE, CHAPTER 23, LAND USE CODE, ARTICLE II, ZONES, DIVISION 8, OVERLAY ZONES, BY ADDING A NEW SECTION 2.8.11, "N" NEIGHBORHOOD PRESERVATION ZONE (NPZ); AMENDING ARTICLE V, ADMINISTRATION, DIVISION 1, POWERS AND DUTIES BY ADDING A DESIGN PROFESSIONAL DESIGNATION; AMENDING ARTICLE VI, DEFINITIONS, DIVISION 2, LISTING OF WORDS AND TERMS, BY AMENDING THE DEFINITION OF "CONTRIBUTING PROPERTY" IN SECTION 6.2.3. AND "DEVELOPMENT ZONE" IN SECTION 6.2.4; AMENDING THE TUCSON CODE, CHAPTER 23A, DEVELOPMENT COMPLIANCE CODE, ARTICLE II, REVIEW PROCEDURES, DIVISION I, GENERAL ZONING REVIEW PROCEDURE, BY ADDING A NEW SECTION "23A-32.1"

CITY OF TUCSON  
CHAPTER 23 TUCSON CODE  
*LAND USE CODE*  
TABLE OF CONTENTS

---

TABLE OF CONTENTS		<u>Page</u>
 (ARTICLE II)		
DIVISION 7	<b><u>INDUSTRIAL ZONES</u></b> .....	104
SEC. 2.7.1	"P-I" PARK INDUSTRIAL ZONE	
SEC. 2.7.2	"I-1" LIGHT INDUSTRIAL ZONE	
SEC. 2.7.3	"I-2" HEAVY INDUSTRIAL ZONE	
 DIVISION 8	<b><u>OVERLAY ZONES</u></b> .....	 119
SEC. 2.8.1	HILLSIDE DEVELOPMENT ZONE (HDZ)	
SEC. 2.8.2	SCENIC CORRIDOR ZONE (SCZ)	
SEC. 2.8.3	MAJOR STREETS AND ROUTES (MS&R) SETBACK ZONE	
SEC. 2.8.4	GATEWAY CORRIDOR ZONE	
SEC. 2.8.5	AIRPORT ENVIRONS ZONE (AEZ)	
SEC. 2.8.6	ENVIRONMENTAL RESOURCE ZONE (ERZ)	
SEC. 2.8.7	RESERVED	
SEC. 2.8.8	HISTORIC PRESERVATION ZONE (HPZ)	
SEC. 2.8.9	DRACHMAN SCHOOL OVERLAY (DSO) ZONE	
SEC. 2.8.10	RIO NUEVO AND DOWNTOWN (RND) ZONE	
SEC. 2.8.11	NEIGHBORHOOD PRESERVATION ZONE (NPZ)	
 DIVISION 9	<b><u>OPEN SPACE (OS) ZONE</u></b> .....	 179.11
ARTICLE III	<b><u>DEVELOPMENT REGULATIONS</u></b> .....	180
DIVISION 1	<b><u>GENERAL PROVISIONS</u></b> .....	180
SEC. 3.1.1	PURPOSE	
SEC. 3.1.2	GENERAL PROVISIONS	
SEC. 3.1.3	APPLICABILITY	
SEC. 3.1.4	DEVELOPMENT STANDARDS	
 DIVISION 2	<b><u>DEVELOPMENT CRITERIA</u></b> .....	 181
SEC. 3.2.1	PURPOSE	
SEC. 3.2.2	PRINCIPAL LAND USE	
SEC. 3.2.3	PRINCIPAL STRUCTURE	
SEC. 3.2.4	SECONDARY LAND USE	
SEC. 3.2.5	ACCESSORY USES AND STRUCTURES	
SEC. 3.2.6	PERIMETER YARDS	
SEC. 3.2.7	STRUCTURE HEIGHT MEASUREMENT	
SEC. 3.2.8	ACCESS PROVISIONS	
SEC. 3.2.9	LOT COVERAGE	
SEC. 3.2.10	RESIDENTIAL DENSITY CALCULATIONS	
SEC. 3.2.11	FLOOR AREA RATIO (FAR) CALCULATION	
SEC. 3.2.12	SOLAR CONSIDERATIONS	
SEC. 3.2.13	STREETS	
SEC. 3.2.14	LOTS	

CITY OF TUCSON  
CHAPTER 23 TUCSON CODE  
*LAND USE CODE*  
TABLE OF CONTENTS

---

TABLE OF CONTENTS		<u>Page</u>
 (ARTICLE III)		
DIVISION 3	<b><u>MOTOR VEHICLE AND BICYCLE PARKING REQUIREMENTS</u></b> .....	216
	SEC. 3.3.1 PURPOSE	
	SEC. 3.3.2 APPLICABILITY	
	SEC. 3.3.3 GENERAL PROVISIONS	
	SEC. 3.3.4 REQUIRED NUMBER OF MOTOR VEHICLE AND BICYCLE PARKING SPACES	
	SEC. 3.3.5 MIXED USE PARKING REQUIREMENTS	
	SEC. 3.3.6 EXCEPTIONS	
	SEC. 3.3.7 DESIGN CRITERIA	
	SEC. 3.3.8 REDUCTIONS IN REQUIRED NUMBER OF MOTOR VEHICLE PARKING SPACES	
DIVISION 4	<b><u>OFF-STREET LOADING</u></b> .....	239
	SEC. 3.4.1 PURPOSE	
	SEC. 3.4.2 APPLICABILITY	
	SEC. 3.4.3 GENERAL PROVISIONS	
	SEC. 3.4.4 DESIGN CRITERIA	
	SEC. 3.4.5 REQUIRED OFF-STREET LOADING SPACES	
DIVISION 5	<b><u>PERFORMANCE CRITERIA</u></b> .....	247
	SEC. 3.5.1 GENERAL	
	SEC. 3.5.2 AGRICULTURAL USE GROUP	
	SEC. 3.5.3 CIVIC USE GROUP	
	SEC. 3.5.4 COMMERCIAL SERVICES USE GROUP	
	SEC. 3.5.5 INDUSTRIAL USE GROUP	
	SEC. 3.5.6 RECREATION USE GROUP	
	SEC. 3.5.7 RESIDENTIAL USE GROUP	
	SEC. 3.5.8 RESTRICTED ADULT ACTIVITIES USE GROUP	
	SEC. 3.5.9 RETAIL TRADE USE GROUP	
	SEC. 3.5.10 STORAGE USE GROUP	
	SEC. 3.5.11 UTILITIES USE GROUP	
	SEC. 3.5.12 WHOLESALING USE GROUP	
	SEC. 3.5.13 GENERALLY APPLIED CRITERIA	
DIVISION 6	<b><u>DEVELOPMENT INCENTIVES</u></b> .....	277
	SEC. 3.6.1 RESIDENTIAL CLUSTER PROJECT (RCP)	
DIVISION 7	<b><u>LANDSCAPING AND SCREENING REGULATIONS</u></b> .....	286
	SEC. 3.7.1 PURPOSE, INTENT, AND APPLICABILITY	
	SEC. 3.7.2 LANDSCAPE REQUIREMENTS	
	SEC. 3.7.3 SCREENING REQUIREMENTS	

**DIVISION 8. OVERLAY ZONES**

**SECTIONS:**

- 2.8.1 HILLSIDE DEVELOPMENT ZONE (HDZ)**
  - 2.8.2 SCENIC CORRIDOR ZONE (SCZ)**
  - 2.8.3 MAJOR STREETS AND ROUTES (MS&R) SETBACK ZONE**
  - 2.8.4 GATEWAY CORRIDOR ZONE**
  - 2.8.5 AIRPORT ENVIRONS ZONE (AEZ)**
  - 2.8.6 ENVIRONMENTAL RESOURCE ZONE (ERZ)**
  - 2.8.7 RESERVED**
  - 2.8.8 "H" HISTORIC PRESERVATION ZONE (HPZ)**
  - 2.8.9 DRACHMAN SCHOOL OVERLAY (DSO) ZONE**
  - 2.8.10 RIO NUEVO AND DOWNTOWN (RND) ZONE**
  - 2.8.11 "N" NEIGHBORHOOD PRESERVATION ZONE (NPZ)**
- 

**2.8.1 HILLSIDE DEVELOPMENT ZONE (HDZ).**

- 2.8.1.1 Introduction. Tucson is surrounded by mountains. These mountainous areas exhibit steep slopes which may contain unstable rock and soils. Development on potentially unstable soils or rock can be hazardous to life and property. Development in these areas should utilize construction methods which ensure slope stabilization and minimize soil erosion.

Tucson's mountains and foothills are valuable scenic resources which should be preserved. Dominant peaks and ridges should be protected in order to preserve the city's unique visual setting, promote its economic well-being, and encourage tourism. Regulating the intensity of development according to the natural characteristics of hillside terrain, such as degree of slope, significant vegetation and landforms, and soil stability and existing drainage patterns, will allow for development in hillside areas while minimizing the physical impacts of such development.

- 2.8.1.2 Purpose. This zone provides for the reasonable use of hillside areas and related lands while protecting the public health, safety, and general welfare by:

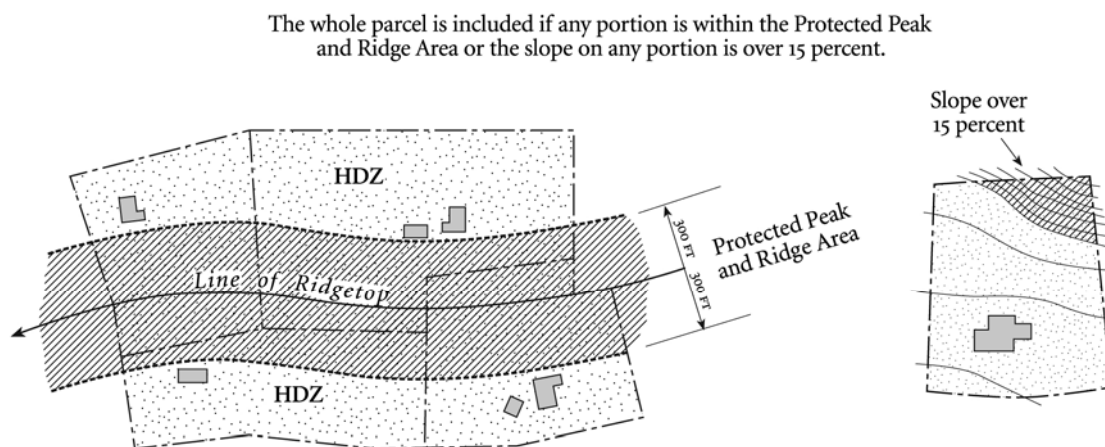
- A. Determining whether certain types of soil conditions exist, such as loose or easily eroded soils or rocky soils which may require blasting, and utilizing appropriate engineering technology to result in stable slopes during and subsequent to development.
- B. Reducing water runoff, soil erosion, and rock slides by minimizing grading and by requiring revegetation.
- C. Permitting intensity of development compatible with the natural characteristics of hillside terrain, such as degree of slope, significant landforms, soil suitability, and existing drainage patterns.
- D. Preserving the scenic quality of the desert and mountain environment through the retention of dominant peaks and ridges in their natural states.
- E. Reducing the physical impact of hillside development by encouraging innovative site and architectural design, minimizing grading, and requiring restoration of graded areas.
- F. Providing safe and convenient vehicular access by encouraging development on the less steeply sloped terrain.

CITY OF TUCSON *LAND USE CODE*  
 ARTICLE II. ZONES  
 DIVISION 8. OVERLAY ZONES  
 HILLSIDE DEVELOPMENT ZONE (HDZ)

- G. Promoting cost-efficient public services by encouraging development on the less steeply sloped terrain, thereby minimizing service extensions and utility costs and maximizing access for all necessary life safety services.

2.8.1.3 Applicability. The provisions of the Hillside Development Zone (HDZ) apply to development in the areas listed below. (See *Illustration 2.8.1.3.*)

- A. *Protected Peak and Ridge Areas*. Any lot or parcel containing protected peak and ridge areas designated for protection by the Mayor and Council, as shown on the City Zoning Maps.
- B. *Slope Areas of Fifteen (15) Percent or Greater*. Any lot or parcel containing slopes of fifteen (15) percent or greater, as shown on the HDZ Maps. Methods of analyzing slope are given in Development Standard 9-10.0. (Ord. No. 9967, §2, 7/1/04)



**2.8.1.3 Applicability of Hillside Development Zone (HDZ)**

- C. *Approved Subdivisions*. Any recorded subdivision plat approved in compliance with the Pima County HDZ or the City of Tucson HDZ may be developed in compliance with the conditions and stipulations as approved. If the plat is resubdivided, it must comply with all provisions of the HDZ currently in effect.
- D. *Exceptions*.
1. The HDZ regulations do not apply to any lot or parcel located within the city limits south of the Rillito River/Tanque Verde, east of the Silverbell Road-Congress Street-Grande Avenue-Mission Road alignment, west of Harrison Road, and north of the Los Reales-Interstate 10 alignment, unless otherwise identified on the HDZ maps.
  2. The HDZ regulations do not apply to vacant residentially-zoned lots or parcels, legally created as of September 15, 1980, and containing an area of sixteen thousand (16,000) square feet or less, unless, after July 19, 1989, the lot or parcel is divided into two (2) or more parcels or used for other than one (1) single-family dwelling.

2. Where the DSD Director determines that the application is for a modification that significantly effects properties other than those immediately adjacent to the site, or where a protest is received in the course of a Limited Notice Procedure, the MDR may be approved through the Board of Adjustment Full Notice Procedure, Development Compliance Code, Sec. 23A-52. The Board of Adjustment shall determine whether to grant or deny the modification based upon the criteria in this section.
- B. The MDR shall be approved only if it:
1. Has no significant adverse effect, such as those involving noise levels, glare, odors, vibration, illumination, fumes, and vapors, on adjacent property; and
  2. Benefits adjacent property and the surrounding area by the redevelopment of the existing site and surrounding area in a way consistent with the RND purpose to create high intensity mixed use development and enhancing the pedestrian environment.
- C. In addition to B above, the MDR shall be approved only if it accomplishes at least one of the following:
1. Enhances and improves the appearance of the surrounding area consistent with the RND purpose statement;
  2. Offers design alternatives that significantly improve the integration of the land use, traffic and architectural design consistent with redevelopment of the downtown as the primary regional activity center for finance, culture, government and mixed use development;
  3. Creates visual interest at the pedestrian scale through features that contribute to outdoor activity, provide shade, and improve the appearance of building facades;
  4. Provides for greater resource conservation than the regulation being modified, including providing building energy efficiency, greater use of solar energy, water harvesting and other conservation measures.
- D. In addition to subsection B and C above, an MDR that involves a reduction in parking shall:
1. Demonstrate that the off-street motor vehicle parking proposed in the MDR application will not have an adverse impact on adjacent properties and meets the RND parking objectives; and
  2. Demonstrate how any off-street motor vehicle parking proposed in the MDR application does not burden neighboring residential streets with the traffic it generates.
- E. An MDR cannot increase the density or intensity of uses or alter the applicable zoning requirements for a property established by Article II and the performance criteria established by Article II and the performance criteria established by [Division 5 of Article III](#) of the LUC.

(Ord. No. 10295, §1, 6/27/06)

## 2.8.11 "N" NEIGHBORHOOD PRESERVATION ZONE (NPZ).

2.8.11.1. Purpose. Preserving and enhancing Tucson's established neighborhoods is critical to conserving the cultural and historic heritage of the city. The purposes of the Neighborhood Preservation Zone (NPZ) are:

- A. to provide a process for the establishment of NPZ districts to preserve, protect and enhance the unique character and historical resources of established city neighborhoods; and
- B. to provide for the creation and establishment of a neighborhood-specific design manual for each NPZ district, containing architectural and design requirements and guidelines to ensure that development is compatible with the neighborhood character overall, as well as with the character of the applicable Development Zone.

2.8.11.2. Definitions.

The following definitions apply to this section.

**Compatibility/Compatible:** Visual consistency of development by mirroring prevailing dimensions, spatial relationships, and architectural and design characteristics of the neighborhood overall and the Contributing Properties within the Development Zone. The term "compatible" does not mean "repetition or copy of" or "identical to" existing structures within the neighborhood. Compatibility is achieved when a development is designed in a manner that blends in with the character of structures in the Development Zone.

**Contributing Property:** For the purposes of this section, a building, object, site, or structure that is listed as a contributing property in a designated National Register Historic District or in an Eligibility Assessment document for the district. Under the National Register definition, a contributing property contributes to the historic significance and visual character of a district, and has sufficient integrity to convey that significance and those visual character defining features in terms of location, design, setting, material, workmanship, character, or association.

**Design Professional:** A registered architect with historic preservation experience employed by or under contract with the City.

**Development Zone:** The definition of "Development Zone" is as specified in Section 6.2.4 of the LUC.

**Neighborhood Character:** The combination of various defining characteristics of Contributing Properties and existing development within a Development Zone that creates and conveys the historic significance and visual character of a neighborhood. These characteristics include scale and proportion, architectural style and detail, open spaces, spatial relationships, and landscaping.

2.8.11.3. Applicability.

A. *NPZ Classification*

1. A rezoning to the NPZ is permitted for neighborhoods that are listed on the National Register of Historic Districts, include a National Register Historic District, or are eligible to be listed on the National Register of Historic Districts and have completed a National Historic District Nomination or Eligibility Assessment application.
2. The NPZ is an overlay zone superimposed over the development regulations of the underlying zoning. The land uses permitted within the NPZ district are those permitted by the underlying zoning.

B. *NPZ Design Manual and Compatibility Review Criteria.*



1. Upon the establishment of an NPZ district, requirements of the Design Manual and Compatibility Review Criteria, Section 2.8.11.9.C, apply to all development that:
    - a. is zoned RX-1, RX-2, R-1, R-2, R-3, RH, SR, and SH;
    - b. requires a building permit; and
    - c. is visible from a street that is not classified as an alley, unless the Design Professional makes a written finding that a proposed development's visibility from the street is so minimal as to be immaterial for purposes of the application of this section.
  2. The requirements of the Design Manual and Compatibility Review Criteria, Sec. 2.8.11.9.C. do not apply to:
    - a. interior renovations or construction within the interior of a building.
    - b. building maintenance, repairs, or painting or minor building alterations, such as window or door alterations or replacements, or minor additions to an existing residence that do not affect the external appearance of the structure as seen from the street.
    - c. exterior development that is not visible from the street, except the Compatibility Review Criteria Privacy Mitigation Measures, Sec. 2.8.11.9.C.5, apply to any proposed development that exceeds the height of residential structures on adjacent properties.
- C. Where there is a conflict between the requirements of the applicable Historic Preservation Zone (HPZ) and the requirements of the NPZ, the requirements of the HPZ prevail.
- 2.8.11.4. Establishment or Dissolution of, or Amendment to a Neighborhood Preservation Zone.
- A. An NPZ district is initiated by the Mayor and Council at their sole discretion.
  - B. An NPZ district is established, amended, or dissolved by the Mayor and Council by ordinance through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3.
- 2.8.11.5. Districts Established.
- A. NPZ districts are established upon adoption of a rezoning ordinance for a neighborhood. The Design Manual created pursuant to 2.8.11.7 shall be a condition of the NPZ district.
  - B. Adopted NPZ districts shall be listed in Development Standard 2-16.0 using the following format: "NPZ-1" – NAME OF DISTRICT – Adopted on XXX, by Ordinance No. XXX.
  - C. The list shall be administratively updated, upon adoption of additional NPZ districts through the appropriate procedure.
- 2.8.11.6. Zoning Maps. To identify each of the NPZ districts on the City of Tucson Zoning Maps, the preface "N" is added to the assigned residential zoning designation, i.e., R-1 becomes NR-1.
- 2.8.11.7. Design Manual. The Design Manual shall be created upon initiation of the NPZ district. The Department of Urban Planning and Design is the lead city agency for the preparation of each neighborhood specific Design Manual.
- A. The Design Manual shall, at a minimum contain the following:
    1. *NPZ District Neighborhood Character:*

CITY OF TUCSON *LAND USE CODE*  
 ARTICLE II. ZONES  
 DIVISION 8. OVERLAY ZONES  
 "N" NEIGHBORHOOD PRESERVATION ZONE (NPZ)

---

- a. Identification of Contributing Properties within the NPZ District.
  - b. Identification of the defining characteristics of the NPZ district. Such identification may include excerpts or references to those portions of the National Register nomination or eligibility document that summarize the defining characteristics of the district.
  - c. Illustrations and narratives describing a. and b. above.
2. *NPZ District Map.* The Design Manual shall include a map of the boundaries of the NPZ district showing the Contributing Properties and the boundaries of the National Register District or area eligible for a National Register District.
  3. Examples of specific Compatibility Review Criteria listed in 2.8.11.9.C, that illustrate elements of neighborhood character.
  4. *Privacy Mitigation Measures.* The Design Manual shall recommend specific privacy mitigation measures to be considered in a Compatibility Review pursuant to 2.8.11.9.C.5 (Privacy Mitigation).
  5. *Dimensional, Spatial, and Access Standards,* if adopted by Mayor and Council as mandatory pursuant to 2.8.11.7.B.1.b.
- B. The Design Manual may contain the following:
1. *Dimensional, Spatial, and Access Standards,* subject to the following:
    - a. Dimensional, Spatial, and Access standards may differ from the Development Criteria of Article III of the LUC. Such standards may be more or less restrictive than those of the underlying zone. Dimensional, Spatial, and Access standards shall:
      - (i) not create a nuisance or intrude on the privacy of adjoining or surrounding properties;
      - (ii) create a more historically compatible setting, accommodate energy efficiency or, ensure enhanced resource conservation greater than current regulations; and
      - (iii) in the case of alley access standards, specify mitigation measures to ensure safe access.
    - b. The Mayor and Council may adopt dimensional, spatial, and access standards as mandatory requirements upon a finding by the Director of the Department of Urban Planning and Design that proposed requirement complies with 2.8.11.7.B.1.a.
    - c. Dimensional, spatial, and access standards not adopted as mandatory requirements are advisory for purposes of a compatibility review.

#### 2.8.11.8 Design Professional

- A. The Design Professional shall:
1. conduct a compatibility review of all applications for development within the NPZ district to which this section applies. This review is in addition to the Administrative Review Procedure, Sec. 23A- 31, Zoning Compliance Review, and any other required review procedures;
  2. submit a report with findings and recommendations to the Director of the Department of Urban Planning and Design pursuant to the Tucson City Code Sec. 23A-32.1, the NPZ Design Review Procedure;

3. render decisions impartially;
4. not render professional services if the Design Professional's judgment could be affected by responsibilities to another project or person or by the Design Professional's own interests; and
5. comply with City of Tucson Administrative Directive 2.02-14 and Policy 282, Ethics and Conflict of Interest for City Officers and Employees.

**2.8.11.9. Compatibility Review of Applications for Proposed Development**

- A. In conducting the Compatibility Review, and in rendering his or her findings and recommendations, the Design Professional shall consider the relative impact and intensity of the proposed development. The Design Professional shall evaluate applications for proposed development for compliance with:
  1. Design Manual standards, guidelines, or requirements;
  2. Applicable Development Standards; and,
  3. Compatibility Review Criteria, Sec. 2.8.11.9.C.
- B. The Design Professional shall use the Design Manual to determine the overall Neighborhood Character of the NPZ district and the Compatibility Review Criteria to determine the Neighborhood Character of a specific Development Zone for the proposed development.
  1. Contributing Properties within a project's Development Zone shall be used when identifying the Compatibility Review Criteria.
  2. If the Development Zone for the proposed development does not contain Contributing Properties, then, for purposes of identifying the Contributing Properties that apply to a development proposal, the Development Zone shall be expanded in every direction until the Development Zone includes at least one Contributing Property.
- C. *Compatibility Review Criteria.* The following elements determine compatibility of the proposed development with the Development Zone:
  1. Scale and proportion, including
    - a. height;
    - b. bulk and massing; and
    - c. number of stories.
  2. Architectural style and detail, including
    - a. roof types;
    - b. projections and recessions, such as porches, awnings, overhangs, steps, entrances;
    - c. window sizes and spacing;
    - d. materials; and
    - e. surface texture and colors.

3. Spatial relationships and site utilization, including

- a. spacing between adjacent buildings;
- b. front and rear side setbacks;
- c. open spaces;
- d. attachments such as carports and garages; and
- e. outbuildings.

4. Landscaping

Landscaping will only be reviewed for compatibility when a project proposes a comprehensive change to the streetscape such as the construction of a new residential unit.

5. Privacy Mitigation

- a. Privacy mitigation is required when the following types of development are proposed adjacent to existing single story residences:
  - (i) Construction of a multistory residence;
  - (ii) Addition of a story to an existing residence; or
  - (iii) Additions to existing second or higher stories
- b. For the purpose of this section, privacy mitigation includes: vegetative or other screening or siting elements, walls, siting of buildings or windows, and eliminating balconies or similar features to reduce views towards the existing dwellings.

- D. Approval of proposed development may be subject to special conditions to provide for compliance with the Compatibility Review Criteria.
- E. The Compatibility Review shall be included in the Design Professional's report to the Director of the Department of Urban Planning and Design.
- F. The Design Professional design review and appeal procedures are set forth in Tucson City Code Sec. 23A-32.1, the NPZ Design Review Procedure.

(Ord. No. 10548, §1, 06/10/08)

---

**DIVISION 9. OPEN SPACE (OS) ZONE**

**SECTIONS:**

**2.9.1 OPEN SPACE (OS) ZONE**

---

**2.9.1 OPEN SPACE (OS) ZONE.**

2.9.1.1 Purpose. The purpose of the Open Space (OS) zone is to designate both public and private open space resources, in order to:

- Preserve significant natural resources and open spaces, such as areas of undisturbed native vegetation, major rock outcrops, major ridges and peaks, riparian habitats, and valuable vegetated wash segments.
- Promote restoration of open space to provide visual, recreational, and habitat amenities.
- Preserve vestiges of the natural desert landscape and provide opportunities for hiking, horseback riding, bicycling, and more passive recreation in a natural setting.
- Contribute to the preservation of wildlife habitat, especially interconnected areas which foster the free movement of wildlife, within the city.
- Promote a continued economic benefit to the region by protecting open space areas for the visual and recreational enjoyment of residents and visitors alike.
- Provide a mechanism for recognizing and protecting public and private lands that have been designated for preservation by the property owner.

2.9.1.2 Applicability. The Open Space (OS) zone may be applied to both public and private lands that warrant protection as open space. The OS zone may be applied to land only with the express written consent of the property owner(s). (Ord. No. 9374, §1, 4/10/00)

- A. *Dedications and Donations.* The Open Space (OS) zone may be applied by the City to land that is preserved by acquisition, an easement, or dedication, and/or donation to the City or other entity, for the purpose of keeping the land as permanent natural open space.
- B. *Fee Waiver.* Fees for a rezoning application to the Open Space (OS) zone are waived. (Ord. No. 9374, §1, 4/10/00)

2.9.1.3 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. [3.2.3](#).

- A. Recreation Use Group, Sec. [6.3.7](#)

- 1. Open Space "4"

2.9.1.4 General Restrictions. The following restrictions apply to all land uses and development in this zone.

- A. Unpaved or paved trails or paths are permitted for use only by pedestrians, nonmotorized bicycles, and horses. Limited access is permitted for maintenance vehicles only. Use by all-terrain vehicles is prohibited.
- B. Picnic areas, sitting areas, equestrian trail nodes, scenic lookouts, shade structures, and rest rooms are permitted, subject to minimal disturbance of the natural open space. Grills in the picnic areas and overnight camping are not allowed, unless located in an area that fire vehicles can access without impact on the natural open space.
- C. Access driveways and parking areas are permitted in conjunction with uses in Sec. 2.9.1.5.A and .B, subject to minimal disturbance of the natural open space.
- D. Drainageway facilities and utility easements must be revegetated to be consistent with the surrounding natural vegetation.
- E. All new utilities must be underground.

2.9.1.5 Open Space Requirements.

- A. The disturbed area shall be clearly identified and the balance of the property protected during construction. All impervious surfaces, buildings, utility or drainage corridors, and structures shall be contained within the disturbed area identified on the approved site plan.
- B. Whenever a portion of the property is disturbed by the construction of a permitted use or has been cleared of vegetation, the disturbed area shall be revegetated in conformance with an approved revegetation plan, using plants native to the site and the immediately surrounding area. Revegetation shall be at a similar density to the natural surroundings.
- C. The minimum width of property zoned OS shall be forty (40) feet, and the minimum contiguous area for OS is four thousand (4,000) square feet, unless the OS property connects to another perpetual, dedicated open space or trails resource.

(Ord. No. 9102, §1, 8/3/98)

---

ARTICLE V. ADMINISTRATION

DIVISION 1. POWERS AND DUTIES

SECTIONS:

5.1.1	PURPOSE
5.1.2	MAYOR AND COUNCIL
5.1.3	CITY MANAGER
5.1.4	DEPARTMENT OF URBAN PLANNING AND DESIGN
5.1.5	PLANNING COMMISSION
5.1.6	ZONING EXAMINER
5.1.7	BOARD OF ADJUSTMENT (B/A)
5.1.8	DESIGN REVIEW BOARD (DRB)
5.1.9	TUCSON-PIMA COUNTY HISTORICAL COMMISSION
5.1.10	HISTORIC DISTRICT ADVISORY BOARDS
5.1.11	DEVELOPMENT SERVICES DEPARTMENT (DSD)
5.1.12	DESIGN PROFESSIONAL

- 
- 5.1.1 PURPOSE.** This Division describes the responsibilities, powers, and duties exercised by the legislative and administrative bodies, appointive officers and municipal agencies, and boards and commissions involved in the planning, zoning, and division of land within the city.
- 5.1.2 MAYOR AND COUNCIL.** The Mayor and Council perform the following functions.
- 5.1.2.1 General Plan. The Mayor and Council shall adopt a comprehensive, long-range general plan for the development of the city known as the *General Plan* and any of its elements as provided in Sec. 5.2.2 and elements mandated by the Arizona Revised Statutes (ARS), Sec. 9-461.05 and 9-461.06. Adoption of, and amendment to, the *General Plan* shall be in accordance with procedures set forth in the Planning Commission Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.2](#). The *General Plan* is equivalent to the state-mandated general plan. (Ord. No. 9374, §1, 4/10/00; Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.2 Specific Plans and Regulations. The Mayor and Council shall adopt specific plans, regulations, programs, and legislation as described in Sec. [5.2.3](#) and as may be needed for the systematic implementation of the *General Plan* and provided for in the Arizona Revised Statutes (ARS), Sec. 9-461.08. Adoption of, and amendment to, specific plans shall be in accordance with procedures set forth in the Planning Commission Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.2](#). (Ord. No. 9374, §1, 4/10/00; Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.3 Redevelopment Plans. The Mayor and Council shall adopt redevelopment plans which are policy plans addressing slum and blighted areas from the standpoint of providing economic incentives to stimulate development/redevelopment. Consideration of adoption of, or amendment to, a redevelopment plan shall be in accordance with the Planning Commission Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.2](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.4 Land Use Code (LUC). The Mayor and Council shall adopt and amend the *Land Use Code (LUC)* in accordance with procedures set forth in the Planning Commission Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.2](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.5 Establishment of Original City Zoning. The Mayor and Council shall establish original city zoning for land annexed in accordance with procedures set forth in the Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.3](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)

- 
- 5.1.2.6 Changes in Zoning District Boundaries (Rezoning). The Mayor and Council shall consider amendments to zoning district boundaries as provided on the City Zoning Maps in accordance with there Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.3](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.7 Repealed. (Ord. No. 8765, §1, 10/14/96; Ord. No. 9517, §4, 2/12/01)
- 5.1.2.8 Appeals of Zoning Examiner (Examiner) Decisions, Special Exception Land Uses. The Mayor and Council shall consider appeals from Zoning Examiner (Examiner) decisions on Special Exception Land Use applications in accordance with procedures set forth in the Mayor and Council Appeal Procedure, Sec. 23A-62. (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.9 Plats. The Mayor and Council shall consider final plats in accordance with procedures set forth in Sec. 4.1.6.2. Authority to approve a tentative plat is delegated to the Development Services Department (DSD) Director. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9517, §4, 2/12/01)
- 5.1.2.10 Special Exception Land Uses. The Mayor and Council shall consider Special Exception Land Use requests requiring legislative consideration in accordance with the Zoning Examiner Legislative Procedure, Sec. [5.4.1](#) and Sec. [5.4.3](#). (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.11 Enforcement. The Mayor and Council shall adopt policies for establishing rules and procedures deemed necessary for the enforcement of the *Land Use Code (LUC)*. (Ord. No. 9517, §4, 2/12/01)
- 5.1.2.12 Appointments. The Mayor and Council appoint the members of the following boards and commissions.
- A. Planning Commission in accordance with Sec. 5.1.5.
  - B. Board of Adjustment (B/A) in accordance with Sec. 5.1.7.
  - C. Design Review Board (DRB) in accordance with Sec. 5.1.8. (Ord. No. 9967, §5, 7/1/04)
- (Ord. No. 9517, §4, 2/12/01)
- 5.1.2.13 Appeals of DSD Full Notice Procedure Decisions. The Mayor and Council shall consider appeals of Development Services Department (DSD) Director decisions on applications under the DSD Full Notice Procedure in accordance with the Mayor and Council Appeal Procedure, Sec. 23A-62. (Ord. No. 9179, §1, 12/14/98; Ord. No. 9392, §1, 5/22/00; Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- 5.1.2.14 Protected Development Right Plan Approvals. The Mayor and Council shall consider for approval protected development right plans submitted in accordance with Arizona Revised Statutes (ARS), Sec. 9-1201 through 9-1205 inclusive and the procedures set forth in Sec. [5.3.1.0](#). (Ord. No. 9635, §1, 12/10/01; Ord. No. 9750, §1, 8/5/02)
- 5.1.3 CITY MANAGER.** The City Manager provides general supervision of, and direction to, the Department of Urban Planning and Design and the Development Services Department (DSD) in the administration of the *Land Use Code (LUC)*, subject to the control of the Mayor and Council, and is given the authority to perform the following duties. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §5, 7/1/04)
- 5.1.3.1 Enforcement. The City Manager assures that the *Land Use Code (LUC)* is enforced and that City agencies and employees provide assistance to the Department of Urban Planning and Design, the Development Services Department (DSD), and the responsible boards and commissions in the planning, zoning, and division of land. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §5, 7/1/04)
- 5.1.3.2 Capital Improvement Program. The City Manager, with the assistance of the Director of the Department of Urban Planning and Design and other City agencies, prepares a coordinated program of proposed public works for the city on an annual basis.
-



---

5.1.10.3 Powers and Duties. Each advisory board performs the following duties.

- A. *Establishment of Historic District.* Upon receipt of a request to establish a historic district, the Mayor and Council establish a historic district advisory board for the proposed historic district to evaluate and make recommendations on the proposed establishment of the historic district in accordance with Sec. 2.8.8.3. As part of the review, the advisory board makes recommendations on the boundaries of the historic district and which sites or structures are to be designated Contributing Properties and Noncontributing Properties. (Ord. No. 9967, §5, 7/1/04)
- B. *Historic District Amendments.* Each advisory board makes written recommendations to the Development Services Department Director and to the Mayor and Council concerning amendments to the boundaries of its historic district and the addition or deletion of designated sites and structures in accordance with Sec. 2.8.8.3. (Ord. No. 9967, §5, 7/1/04)
- C. *Historic Preservation.* Each advisory board reviews and makes written recommendations to the Development Services Department Director on applications involving new construction, additions, alterations, and moving or demolition of existing structures located within its historic district for compliance with the purpose and intent of the historic district and all applicable provisions and criteria. (Ord. No. 9967, §5, 7/1/04)
- D. *Permitted Uses.* The applicable advisory board shall review applications for resident artisan uses and make recommendations to the Development Services Department Director. (Ord. No. 9967, §5, 7/1/04)

**5.1.11 DEVELOPMENT SERVICES DEPARTMENT (DSD).** The Development Services Department (DSD), as established by the Mayor and Council, shall administer and enforce the *Land Use Code (LUC)*, the Development Compliance Code and Development Standards. The DSD Department is also established as the authority to administer and enforce airport zoning regulations in accordance with ARS, Title 2, Article 2, Airport Zoning and Zoning Regulations. (Ord. No. 9967, §5, 7/1/04)

5.1.11.1 Functions and Duties. The Zoning Administrator is responsible for the enforcement of the *Land Use Code (LUC)* in accordance with Sec. 5.1.4.4.B; however, the Development Services Department (DSD) shall be responsible for the administration of the *LUC* on all new development within the boundaries of the city as follows. (Ord. No. 9967, §5, 7/1/04)

- A. *Implementation of the Land Use Code (LUC).* The Development Services Department (DSD) shall be responsible for the implementation of applicable provisions of the *Land Use Code (LUC)* on all projects being developed under the existing zoning of the property.
- B. *Implementation of the Development Compliance Code.* The Development Services Department (DSD) shall be responsible for the implementation of applicable provisions of the *Land Use Code (LUC)* on all projects being developed under the existing zoning of the property. (Ord. No. 9967, §5, 7/1/04)
- C. *Development Standards.* The Development Services Department (DSD) shall be responsible for the review of all development proposals for compliance with Development Standard requirements.
- D. *City Zoning Maps.* The Development Services Department is responsible for maintaining the official City Zoning Maps and for the coordination and review of any request to amend the zoning boundaries as provided on the maps. Review of requests to amend such boundaries shall be in accordance with procedures set forth in Sec. 5.3.2.G. (Ord. No. 9967, §5, 7/1/04)
- E. *Board of Adjustment (B/A).* The Development Services Department shall be responsible for scheduling meetings, providing agendas and public notice of meetings, and maintaining public records of the B/A's findings and decisions. (Ord. No. 9967, §5, 7/1/04)

- 
- F. *Design Review Board (DRB)*. The Development Services Department shall be responsible for scheduling meetings, providing agendas and public notice of meetings, and maintaining public records of the DRB's decisions. (Ord. No. 9967, §5, 7/1/04)
- G. *Historic Preservation Program*. City staff performs the duties and responsibilities of the Historic Preservation Program as described below. The Development Services Department Director may delegate such duties and responsibilities, provided the person to whom they are delegated acts under the general supervision and on behalf of the Development Services Department Director.
1. Performs those administrative functions as required by Sec. 2.8.8, Historic Preservation Zone (HPZ).
  2. Coordinates review of all alterations, new development, and demolitions within the HPZ.
  3. Creates and maintains programs to encourage the recognition, restoration, and maintenance of the historic, archaeological, and cultural resources of the city.
  4. Works with and assists departments of the City and the Tucson-Pima County Historical Commission in matters affecting historic preservation, including enforcement of the HPZ regulations.
  5. Assumes other responsibilities as needed to accomplish the intent of the HPZ.
- (Ord. No. 9967, §5, 7/1/04)
- H. *Subdivisions, Minor Subdivisions, and Land Splits*. The Development Services Department (DSD) shall be responsible for the review of all development proposals for compliance with the subdivision, minor subdivision, and land split regulations in the *Land Use Code (LUC)* and applicable Development Standards. (Ord. No. 9967, §5, 7/1/04)
- I. *Other Responsibilities*. The Development Services Department shall perform such other functions as may be required by the Mayor and Council, City Manager, or the *LUC*. (Ord. No. 9967, §5, 7/1/04)

- 5.1.11.2 Development Services Department (DSD) Director. The Development Services Department (DSD) Director is the chief executive officer of DSD. The DSD Director, or designee, shall be responsible for administering the functions and duties of DSD regarding the *Land Use Code (LUC)* as follows. (Ord. No. 9967, §5, 7/1/04)
- A. *Plats*. The Development Services Department (DSD) Director is responsible for the coordination of reviews of all plats in accordance with Sec. 23A-33. The DSD Director, on behalf of the Mayor and Council, makes decisions on approving tentative plats, as provided by the *Land Use Code (LUC)*, Sec 4.1.6 and Sec. 5.1.2.9. (Ord. No. 9517, §4, 2/12/01; Ord. No. 9967, §5, 7/1/04)
- B. *Implementation of the Land Use Code (LUC)*. The Development Services Department (DSD) Director is responsible for the review of all proposed projects that are being developed under the existing zoning of the property for conformance with provisions of the *Land Use Code (LUC)*. As part of this responsibility, the DSD Director shall assure that: (1) no land is used or occupied; (2) no existing use is expanded or changed; (3) no site improvement, modification, or construction is started; (4) no new structures are constructed; (5) no existing structure is reconstructed, changed, or otherwise altered; and (6) no land is divided into multiple parcels until conformance with provisions of the *LUC* has been certified through a zoning review process and shall assure that development occurs as approved prior to final occupancy. The responsibility includes the authority to suspend construction of a project when the project has not been approved for zoning or if it is not in keeping with the plans approved for conformance with zoning regulations.
- C. *Development Standards*. The Development Services Department (DSD) Director is responsible for assuring that no land is used or occupied; no site improvement, modification, or construction is started; no

existing use or structure is expanded, reconstructed, changed, or otherwise altered; and no land is divided into multiple parcels until conformance with provisions of the Development Standards has been certified through a zoning review process and for assuring that development occurs as approved prior to final occupancy.

- D. *DSD Full Notice Procedure Decisions.* The Development Services Department (DSD) Director evaluates and makes decisions on applications for development under the DSD Full Notice Procedure within the resource overlay zones including the Hillside Development Zone (HDZ), Scenic Corridor Zone (SCZ), Environmental Resource Zone (ERZ), Historic Preservation Zone (HPZ), applications for development under the Watercourse Amenities, Safety and Habitat (WASH) regulations, and other matters as designated by the Tucson Code in accordance with the DSD Full Notice Procedure, Sec. 23A-50 and 23A-51. (Ord. No. 9967, §5, 7/1/04)
- E. *Limited Notice Procedure Decisions.* The Development Services Department (DSD) Director evaluates and makes decisions on applications for development under the Limited Notice Procedure in accordance with Sec. 23A-40. (Ord. No. 9967, §5, 7/1/04)
- F. *Administrative Design Review.* The Development Services Department (DSD) Director evaluates and makes decisions on applications for development under the Administrative Design Review Procedure in accordance with Sec. 23A-32. (Ord. No. 9967, §5, 7/1/04)
- G. *Land Splits.* The Development Services Department (DSD) Director is responsible for assuring conformance with land split regulations, as provided in Article IV, Division 3, and in Sec. 23A-33.2(2). (Ord. No. 9967, §5, 7/1/04)
- H. *Special Exception Land Uses.* The Development Services Department Director evaluates and makes administrative decisions on certain Special Exception Land Uses as provided in Sec. [5.3.9](#). (Ord. No. 9967, §5, 7/1/04)
- I. *Substitution of Nonconforming Use.* The Development Services Department Director evaluates and makes decisions on requests to substitute new nonconforming uses for existing nonconforming uses as provided in Sec. [5.3.6](#). (Ord. No. 9967, §5, 7/1/04)
- J. *Modification of Land Use Code (LUC) Provisions.* The Development Services Department Director evaluates and makes decisions on requests to modify requirements such as setbacks, height, parking, screening, and landscaping as provided in the Design Development Option (DDO), Sec. [5.3.4](#) and Sec. [5.3.5](#). (Ord. No. 9967, §5, 7/1/04)
- K. *Temporary Use or Structure.* The Development Services Department Director may approve a temporary use or structure as provided in Sec. [5.3.7](#). (Ord. No. 9967, §5, 7/1/04)
- L. *Other Duties.* The Development Services Department (DSD) Director performs such other functions as may be required of DSD in assisting the Zoning Administrator in implementing provisions of the *Land Use Code (LUC)*. (Ord. No. 9967, §5, 7/1/04)

(Ord. No. 9392, §1, 5/22/00)

5.1.11.3 **Zoning Administrator.** The Zoning Administrator, who is appointed by the Development Services Department Director, performs the duties and responsibilities as described below. The Development Services Department Director shall designate a temporary Zoning Administrator whenever the Zoning Administrator is unable to perform the duties of the office due to illness, potential conflict of interest, or similar reason.

- A. *Land Use Code (LUC) Interpretation.* The Zoning Administrator interprets the City Zoning Maps and the provisions of the *Land Use Code (LUC)* in accordance with Sec. 23A-31(5).

- B. *Land Use Code (LUC) Enforcement.* The Zoning Administrator enforces the *Land Use Code (LUC)* with assistance from the Development Services Department (DSD) as provided in Sec. 5.1.11, Sec. 5.5.2, and Sec. 5.5.3 and from other City departments as may be provided by the City Manager and Mayor and Council.
- C. *Other Responsibilities.* The Zoning Administrator shall perform such other functions as may be required by the Development Services Department Director or the *Land Use Code (LUC)*.

(Ord. No. 9967, §5, 7/1/04)

**5.1.12 DESIGN PROFESSIONAL.** The Design Professional is established to review building permits for projects located in NPZ overlays for compliance with applicable design manuals as set forth in *Land Use Code (LUC)*, Sec. 23 of the Tucson Code and in the Development Compliance Code, Sec. 23A-32.1 of the Tucson Code.

5.1.12.1 Appointment and Qualifications

- A. *Appointment.* The City Manager shall recommend a candidate(s) for the position of Design Professional. The Mayor and Council shall appoint the Design Professional.
- B. *Qualifications.* The Design Professional shall be a registered architect, preferably with historic preservation experience.

5.1.12.2 Powers and Duties

- A. *Compatibility Review within Neighborhood Preservation Zones.* The Design Professional shall review applications for building permits for projects located within adopted Neighborhood Preservation Zone Overlays for compliance with the applicable Design Manual and Section 2.8.11.9 (Compatibility Review for Applications for Proposed Development). The Design Professional will forward a written report with findings and recommendation to the Director of the Department of Urban Planning and Design. The Director shall take into account the recommendations of the Design Professional when considering approval of the application.
- B. *Conditions.* The Design Professional may impose conditions on the approval of a building permit to ensure that the design of the project mitigates the impact of the project on the subject development zone.
- C. *Other Responsibilities.* The Design Professional shall perform such other functions as may be required by the *Land Use Code (LUC)*.

(Ord. No. 10548, §2, 6/10/08)

City Zoning Maps. A set of maps that is part of the *Land Use Code (LUC)* which depicts all zoning boundaries delineating the zoning classifications applicable to all property within the city limits.

Civic Assembly. See Sec. [6.3.4.3](#).

Class 1 Bicycle Parking Facility. A facility designed for temporary storage of an entire bicycle and its components and accessories and to provide protection against inclement weather, the extreme heat of the desert climate, and theft. The facility may include bicycle lockers, check-in facilities, monitored parking, restricted access parking, or other means which provide the above level of security. (Ord. No. 9392, §1, 5/22/00)

Class 2 Bicycle Parking Facility. A facility which provides a stationary object to which the operator can lock the bicycle frame and both wheels with a user provided U-shaped lock or a cable and lock.

Collector Street. A street identified as a collector on the Major Streets and Routes Plan (MS&R).

Collocation. The use of a single tower or pole by more than one user for similar or nonsimilar uses. (Ord. No. 8813, §1, 3/3/97)

Common Use. The usage and accessibility by all residents of a project, either by common ownership, covenant, easement, or other similar legal means.

Communication, Wireless. A commercial system designed and operated for the transmission and reception of signals to and from multiple transmitter locations to multiple reception locations. Typical uses include cellular telephone, personal communication service (PCS), enhanced specialized mobile radio (ESMR), and paging services. (Ord. No. 8813, §1, 3/3/97)

Communications. The general transmission and/or reception of signals as specifically regulated by the Federal Communications Commission (FCC) for the transfer of verbal or visual information in an analog or digital mode. (Ord. No. 8813, §1, 3/3/97)

Communications Tower, Wireless. See Sec. [6.2.20](#), Tower. (Ord. No. 8813, §1, 3/3/97)

Community Design Review Committee (CDRC). [Definition deleted.] (Ord. No. 9392, §1, 5/22/00)

Compatible. To be in agreement with; to fit in architecturally; to not contradict, visually, a street scene, view, or adjacent development.

Compatible Use Zone-One (CUZ-1). A specifically designated area near the ends of Tucson International Airport runways where land use is susceptible to a degree of risk of aircraft accident potential, less than in the CUZ-3 Zone and greater than in the CUZ-2 Zone. Dimensions of the CUZ-1 are shown in Table 2.8.5-I, Sec. 2.8.5.9.

Compatible Use Zone-Two (CUZ-2). A specifically designated area near the ends of Tucson International Airport runways where land use is susceptible to a degree of risk of aircraft accident potential, less than either the CUZ-1 or the CUZ-3 Zones. Dimensions of the CUZ-2 are shown in Table 2.8.5-I, Sec. 2.8.5.9.

Compatible Use Zone-Three (CUZ-3). A specifically designated area near the southeastern ends of Tucson International Airport runways where land use is susceptible to a degree of risk of aircraft accident potential, greater than in either the CUZ-1 or the CUZ-2 Zones. Dimensions of the CUZ-3 are shown in Table 2.8.5-I, Sec. 2.8.5.9.

Conceal. To place out of sight or to prevent recognition or disclosure of the true character of an object. (Ord. No. 8813, §1, 3/3/97)

Condominium. A method of sale of air rights. For the purposes of *Land Use Code (LUC)* application, a condominium shall be the same as a multiple-family structure, except platting is required in accordance with this Chapter.

Conservation Easement. An easement delineating an area that will be kept in its natural state in perpetuity.

Contiguous. Same as Abutting.

Contributing Property. A property within a Historic Preservation Zone (HPZ) district that contributes to the historic significance and visual character of a district, and has sufficient integrity to convey that significance and those visual character defining features in terms of location, design, setting, material, workmanship, character, or association. Contributing Properties are historic sites or nonhistoric compatible properties. (Ord. No. 10548, §3, 6/10/08)

Correctional Use. See Sec. [6.3.4.4](#).

County. Same as Pima County, Arizona.

Critical Riparian Habitat Areas. Areas as shown on the Critical and Sensitive Wildlife Habitats Map, which contain:

- A. Major segments of desert riparian habitat extending from public preserves;
- B. Major segments of desert riparian habitat not extending directly from a public preserve but containing a high density and diversity of plant and animal species;
- C. Deciduous riparian woodlands;
- D. Mesquite bosques;
- E. Lakes, ponds, or wetlands;
- F. Palo Verde-Saguaro communities; or
- G. Ironwood plant communities;

and are found within the Resource Corridor.

Cross-Slope. The slope of the topographic configuration of land, graphically represented by contour lines, prior to any grading or other disturbance.

Cultural Use. See Sec. [6.3.4.5](#).

Custodial Facility. See Sec. [6.3.4.4](#), Correctional Use.

#### 6.2.4 DEFINITIONS - D.

Damaged. Plant materials, previously rated Viable, which have little chance of survival in a healthy and attractive manner after injury sustained during salvage, transplanting, or construction operations. (Ord. No. 8845, §2, 3/24/97)

Dance Hall. An Entertainment use which encompasses eighteen thousand (18,000) square feet or more of total area, including gross floor area and any outside areas providing service to the public, such as outdoor seating and recreation areas, that has a dance floor(s) that is over twenty-five (25) percent of the area.

Day Care. See Sec. [6.3.5.10](#).

Days. Days of the week, including Saturdays, Sundays, and holidays. To apply days to a review schedule, the day of the event or act from which the designated period of time begins is not included. The last day of the designated period is included, unless it is a Saturday, Sunday, or holiday, in which event the period runs to the end of the next day that is not a Saturday, Sunday, or holiday. When a designated period of time is less than ten (10) days, intermediate Saturdays, Sundays, and holidays are not included. Holidays are those recognized by the City of Tucson.

DD. Same as Development Designator. See Sec. 2.1.8.

Dedicate. The act of giving a gift or donation to another person or entity.

Dedicated. The act of giving a gift or donation to another person or entity and that such gift or donation has been accepted.

Density. Generally, density means the number of residential units per acre. As applied in the Residential Cluster Project (RCP) provisions, density means the number of dwelling units that may be constructed per acre of developable area within a site. For information on calculation of density, with the exception of RCPs, refer to Sec. 3.2.10. For RCP density calculations, refer to Sec. 3.6.1.

Design Grade. The minimum modification of natural or existing grade that allows safe and appropriate access, drainage, and buildable areas.

Design Review Board (DRB). See Sec. 5.1.8, Design Review Board (DRB). (Ord. No. 9967, §6, 7/1/04)

Detached Single-Family Dwelling. See Single-Family Dwelling, Detached, Sec. 6.2.19.

Developable Area. The land area of a site controlled by a single landowner or entity at the time of issuance of building permits or, if subdividing the property, subdivision application, including those areas which are dedicated as natural areas within a Hillside Development Zone (HDZ) area, but exclusive of any floodway property as described in Chapter 26, Division 1, Floodplain and Erosion Hazard Area Regulations, of the Tucson Code. Those areas within a floodway are included in the developable area where the City Engineer has approved construction of a principal building or of an accessory or incidental structure.

Developing Area. An area where less than fifty (50) percent of the linear street frontage of all property, excluding alleys and drainageways, located on the same side of the street and within the same block as the proposed development is occupied by principal structures that conform to the minimum front street perimeter setback required for the applicable zoning classification or street frontage. (Ord. No. 9517, §5, 2/12/01)

Developing Area Setback. A term used to describe the required building setback from a street applicable where a developing area exists. (Ord. No. 9517, §5, 2/12/01)

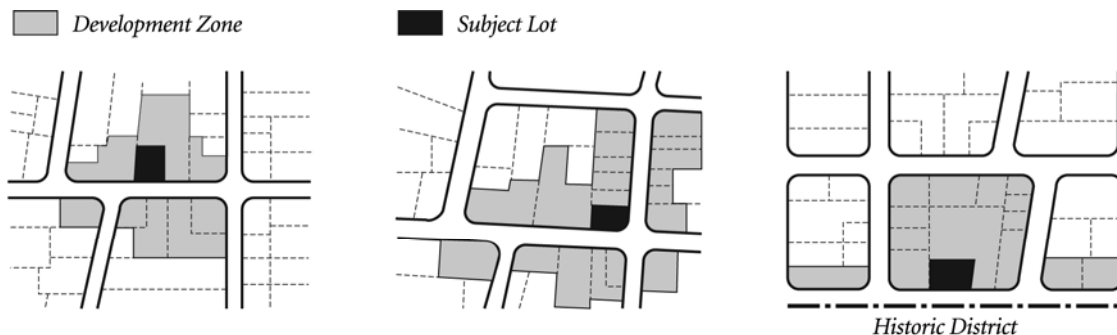
Development. Any human alteration to the state of land, including its vegetation, soil, geology, or hydrology, for any residential, commercial, industrial, utility, or other use, such as, but not limited to, clearing, grubbing, or grading of land, and structural improvements, e.g., buildings, walls, fences, signs, and vehicular use areas.

Development Designator. A letter or number, or a combination of letters and numbers, which designates the development criteria applicable to each land use in every zone. For applicability information, refer to Sec. 2.1.8.

Development Plan. A drawing of a project site that provides detailed information which shows how a proposed project will be developed in compliance with City regulations. Where specifically required by ordinance or condition of rezoning, a development plan shall be prepared in compliance with the requirements of Sec. 5.3.8 of this chapter.

**Development Zone.** As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), Sec. 2.8.11, Neighborhood Preservation Zone (NPZ), and Sec. 2.8.10, Rio Nuevo and Downtown (RND) Zone, a certain designated area adjacent to the lot to be developed. Public and institutional structures within the development zone shall not be considered part of the development zone when evaluating proposed development on an adjacent property, except for public and institutional structures on or eligible for inclusion on the National Register of Historic Places. The development zone is determined as follows. (*See Illustration 6.2.4.A, .B, and .C.*)

- A. Where the subject lot is an interior lot, the development zone includes that lot, all lots on either side of that lot and fronting on the same street in the same block, and all those lots on the opposite side of that street, except such portions of the development zone which fall outside the boundary of the historic district, Neighborhood Preservation Zone (NPZ) district, or the Rio Nuevo and Downtown (RND) Zone.
- B. Where the subject lot is a corner lot, the development zone includes that lot, the corner lot diagonally opposite that lot, all lots fronting on the same two (2) streets in the same block, and all lots on the opposite sides of those streets, except such portions of the development zone which fall outside the boundary of the historic district, Neighborhood Preservation Zone (NPZ) district, or the Rio Nuevo and Downtown (RND) Zone.
- C. Where the subject lot is located adjacent to a historic zone boundary, the development zone includes that lot, all lots located within the same block, and those lots facing the same street as the subject lot within one block in either direction, except such portions of the zone which fall outside the boundary of the historic district, Neighborhood Preservation Zone (NPZ) district, or the Rio Nuevo and Downtown (RND) Zone.



**6.2.4.A**  
**Development Zone**  
**for an Interior Lot**  
 (Ord. No. 9780, §7, 10/14/02; Ord. No. 10548, §3, 6/10/08)

**6.2.4.B**  
**Development Zone**  
**for a Corner Lot**

**6.2.4.C**  
**Development Zone**  
**for a Boundary Lot**

**Director.** The chief executive officer of a City department. (Ord. No. 9967, §6, 7/1/04)

**Disguise.** To furnish with a false appearance or to alter in such a manner as to hide the true character of an object. (Ord. No. 8813, §1, 3/3/97)

**Downtown Heritage Incentive Zone.** An area the boundaries of which are congruent with the boundaries of the Downtown Redevelopment District.

**Downtown Redevelopment District.** That area as delineated by Map 6.2.4-I. (*See Map 6.2.4-I.*)



CITY OF TUCSON *LAND USE CODE*  
INDEX

**INDEX**

	<u>Section</u>		<u>Section</u>
Precision Manufacturing .....	6.3.6.9	<b>Lots</b> .....	3.2.14
Primary Manufacturing.....	6.3.6.10	<b>Major Medical Service</b>	
Processing and Cleaning.....	6.3.6.11	See herein: Medical Service - Major	
Purpose .....	6.3.6.1	<b>Major Streets and Routes (MS&amp;R)</b>	
Refining .....	6.3.6.12	<b>Setback Zone</b> .....	2.8.3
Salvaging and Recycling .....	6.3.6.13	<b>Major Trade Service and Repair</b>	
<b>Instructional School</b>		See herein: Trade Service and Repair, Major	
See herein: Educational Use		<b>Manufacturing and Industrial</b>	
<b>Interpretation</b> .....	1.2.0	Performance Criteria.....	3.5.5.1
<b>IR Institutional Reserve Zone</b> .....		<b>Mapping, Zones</b> .....	1.3.0
		<b>Medical Service</b>	
<b>Land Carrier Transportation Service</b>		Performance Criteria.....	3.5.4.8
See herein: Transportation Service, Land Carrier		<b>Medical Service - Extended Health Care</b>	
<b>Land Splits</b> .....	4.3.0	Land Use Class .....	6.3.5.15
<b>Land Use Groups</b> .....	6.3.0	<b>Medical Service - Major</b>	
Agricultural Use Group .....	6.3.3	Land Use Class .....	6.3.5.16
Civic Use Group.....	6.3.4	Secondary Uses, Performance Criteria .....	3.5.4.10
Commercial Services Use Group.....	6.3.5	<b>Medical Service - Outpatient</b>	
General Provisions.....	6.3.2	Land Use Class .....	6.3.5.17
Industrial Use Group .....	6.3.6	Secondary Uses, Performance Criteria .....	3.5.4.10
Recreation Use Group .....	6.3.7	<b>Medical Service in Residential and</b>	
Residential Use Group.....	6.3.8	<b>Office Zones</b>	
Restricted Adult Activities Use Group .....	6.3.9	Performance Criteria.....	3.5.4.9
Retail Trade Use Group.....	6.3.10	<b>Membership Organization</b>	
Storage Use Group .....	6.3.11	Land Use Class .....	6.3.4.7
Utilities Use Group.....	6.3.12	<b>MH-1 Mobile Home Zone</b> .....	2.3.7
Wholesaling Use Group .....	6.3.13	<b>MH-2 Mobile Home Zone</b> .....	2.3.8
<b>Land Uses as Allowed in the LUC</b> .....	1.2.5	<b>Minor Subdivisions</b>	
<b>Landscaping and Screening</b>		See herein: Subdivisions	
<b>Regulations</b> .....	3.7.0	<b>Minor Trade Service and Repair</b>	
Administration .....	3.7.7	See herein: Trade Service and Repair, Minor	
Landscape Requirements .....	3.7.2	<b>Mobile Home Dwelling</b>	
Maintenance .....	3.7.6	Land Use Class .....	6.3.8.4
Purpose, Intent, and Applicability .....	3.7.1	Secondary Uses, Performance Criteria .....	3.5.7.5, 3.5.7.6, 3.5.7.11
Screening Requirements .....	3.7.3		
Special Requirements .....	3.7.5		
Use of Water.....	3.7.4		
<b>Large Retail Establishment</b>			
<b>Design Criteria</b> .....	3.5.9.7		
<b>Legislative Procedures</b>			
General Legislative Procedures .....	5.4.1		
Planning Commission Procedure.....	5.4.2		
Zoning Examiner Procedure .....	5.4.3		
<b>Lighting, Generally Applied</b>			
<b>Performance Criteria</b> .....	3.5.13.3		
<b>Lodging, Travelers' Accommodation</b>			
See herein: Travelers' Accommodation, Lodging			
<b>Lot Coverage</b> .....	3.2.9		

CITY OF TUCSON *LAND USE CODE*  
INDEX

**INDEX**

	<u>Section</u>		<u>Section</u>
<b>More Restrictive Zoning</b> .....	1.2.6	<b>Overlay Zones</b> .....	2.8.0
<b>Motion Picture Industry</b>		Airport Environs Zone (AEZ) .....	2.8.5
Land Use Class .....	6.3.6.7	Downtown Heritage Incentive Zone.....	2.8.7
Performance Criteria.....	3.5.5.4	Drachman School Overlay (DSO) Zone.....	2.8.9
<b>Motor Vehicle and Bicycle Parking</b>		Environmental Resource Zone (ERZ) .....	2.8.6
<b>Requirements</b> .....	3.3.0	Gateway Corridor Zone .....	2.8.4
<b>MU Multiple Use Zone</b> .....	2.6.4	"H" Historic Preservation Zone (HPZ).....	2.8.8
		Hillside Development Zone (HDZ) .....	2.8.1
<b>Native Plant Preservation</b> .....	3.8.0	Major Streets and Routes (MS&R)	
Administration .....	3.8.8	Setback Zone .....	2.8.3
Applicability .....	3.8.3	Neighborhood Preservation Zone (NPZ).....	2.8.11
Enforcement, Penalties, Fines, and		Rio Nuevo and Downtown (RND) Zone.....	2.8.10
Other Remedies .....	3.8.7	Scenic Corridor Zone (SCZ).....	2.8.2
General Provisions and Requirements.....	3.8.4		
Intent.....	3.8.1	<b>P Parking Zone</b> .....	2.5.6
Plant Preservation Requirements.....	3.8.6	<b>Parking</b>	
Protected Native Plant List .....	3.8.5	Land Use Class .....	6.3.5.18
Purpose .....	3.8.2	<b>Parking Requirements</b>	
<b>Natural Areas (HDZ)</b> .....	2.8.1.7	See herein: Motor Vehicle and Bicycle	
<b>NC Neighborhood Commercial Zone</b> .....	2.5.2	Parking Requirements	
<b>Neighborhood Preservation Zone (NPZ)</b> ..	2.8.11	<b>Pedestrian Facilities</b> .....	3.2.8.4
<b>Neighborhood Recreation</b>		<b>Performance Criteria</b> .....	3.5.0
Land Use Class .....	6.3.7.3	Agricultural Use Group .....	3.5.2
<b>Noise, Generally Applied Performance</b>		<i>Animal Production</i> .....	3.5.2.1
<b>Criteria</b> .....	3.5.13.4	<i>Crop Production</i> .....	3.5.2.2
<b>Noise Control Districts, AEZ</b> .....	2.8.5.6	<i>Stockyard Operation</i> .....	3.5.2.3
<b>Nonconforming Use or Structure</b> .....	5.3.6	Civic Use Group .....	3.5.3
<b>Nonresidential Development</b>		<i>Cemetery</i> .....	3.5.3.1
<b>Designators</b> .....	3.2.3.2	<i>Correctional Use</i> .....	3.5.3.4
		<i>Cultural Use</i> .....	3.5.3.5
<b>O-1 Office Zone</b> .....	2.4.1	<i>Educational Use</i> .....	3.5.3.7
<b>O-2 Office Zone</b> .....	2.4.2	<i>Governmental Uses</i> .....	3.5.3.2
<b>O-3 Office Zone</b> .....	2.4.3	<i>Postsecondary Institutions</i> .....	3.5.3.3
<b>OCR-1 Office/Commercial/Residential</b>		<i>Religious Use</i> .....	3.5.3.6
<b>Zone</b> .....	2.6.1	Commercial Services Use Group.....	3.5.4
<b>OCR-2 Office/Commercial/Residential</b>		<i>Administrative and Professional</i>	
<b>Zone</b> .....	2.6.2	<i>Office</i> .....	3.5.4.18
<b>Off-Street Loading</b> .....	3.4.0	<i>Adult Day Care</i> .....	3.5.4.25
<b>Office Zone Compatibility Criteria</b>		<i>Alcoholic Beverage Service</i> .....	3.5.4.19
Performance Criteria.....	3.5.4.11	<i>Animal Service</i> .....	3.5.4.1
<b>Open Space (OS) Zone</b> .....	2.9.1	<i>Automotive - Service and Repair</i> .....	3.5.4.2
<b>Outdoor Activity, Generally Applied</b>		<i>Billboards</i> .....	3.5.4.26
<b>Performance Criteria</b> .....	3.5.13.5	<i>Child Care in Residential and</i>	
<b>Outdoor Display of Products for Rent</b>		<i>Office Zones</i> .....	3.5.4.3
<b>or Sale</b> .....	2.1.10	<i>Communications</i> .....	3.5.4.20
<b>Outpatient Medical Service</b>		<i>Construction Service</i> .....	3.5.4.21
See herein: Medical Service - Outpatient		<i>Entertainment</i> .....	

# APPENDIX 1

## Checklist of Up-to-Date Pages

The following listing is included in this Code as a guide for the user to determine whether the Code volume properly reflects the latest print of each page.

In the first column, all page numbers are listed in sequence. The second column reflects the latest printing of the pages as they should appear in an up-to-date volume. When a page has been reprinted or printed as part of the supplement service, this column reflects the Supplement Number which is printed on the bottom of the page.

Page No.	Supplement No.	Page No.	Supplement No.
i, ii	43	74, 75	37
iii, iv	44	76, 77	42
v, vi	32	78, 79	42
vii, viii	16	80, 81	37
1, 2	32	82, 83	32
3, 4	32	84	32
5	32	85, 86	43
6, 7	32	87, 88	32
8, 9	32	89, 90	37
10, 11	32	91, 92	32
12, 13	32	92.1	32
14, 15	32	93, 94	32
16, 17	37	95, 96	32
18, 19	32	97, 98	32
20, 21	32	99, 100	32
22, 23	32	101, 102	37
24, 25	32	103, 103.1	43
26, 27	32	103.2, 103.3	43
28	32	103.4, 103.5	43
29, 30	32	103.6, 103.7	43
31, 32	32	103.8, 103.9	43
33, 34	32	103.10	43
35, 36	32	104, 105	37
37, 38	32	106, 107	32
38.1	deleted	108, 109	37
39, 40	32	110, 111	32
41, 42	32	112, 113	37
43, 44	32	114, 115	32
45, 46	32	116, 117	32
46.1	32	118	32
47, 48	32	119, 120	44
49, 50	32	121, 122	32
50.1	32	123, 124	32
51, 52	32	125, 126	32
52.1	32	127, 128	32
53, 54	32	129, 130	32
55, 56	32	131, 132	32
57, 58	32	133, 134	32
59, 59.1	32	135, 136	32
60, 61	37	137, 138	32
62, 63	42	139, 140	32
64, 65	32	141, 142	32
66, 67	42	143, 144	32
68, 69	40	145, 146	34
70, 71	42	147, 148	34
72, 73	42		

Page No.	Supplement No.	Page No.	Supplement No.
149, 150	34	230, 231	30
151, 152	34	232, 233	30
153, 154	34	234, 235	30
155, 155.1	34	236, 237	26
155.2, 155.3	37	238	26
155.4, 155.5	34	239, 240	11
155.6, 155.7	34	241, 242	11
155.8, 155.9	37	243, 244	41
156, 157	32	245, 246	41
158, 159	32	247, 248	23
160, 161	32	249, 250	23
161.1	deleted	251, 252	37
162, 163	32	253, 254	42
164, 165	32	255, 256	37
166, 167	32	257, 258	40
168, 169	32	259, 260	32
170, 171	32	261, 262	23
172, 173	32	263, 264	32
174, 175	32	265, 266	32
176, 177	32	267, 268	42
178, 179	32	269, 270	42
179.1, 179.2	32	271, 272	42
179.3, 179.4	32	272.1, 272.2	42
179.5, 179.6	32	273, 274	42
179.7, 179.8	32	275, 276	42
179.9, 179.10	38	276.1, 276.2	42
179.11, 179.12	44	276.3, 276.4	42
179.13, 179.14	44	276.5, 276.6	42
179.15, 179.16	44	276.7, 276.8	42
179.17, 179.18	44	276.9, 276.10	42
180	32	277, 278	39
181, 182	11	279, 280	39
183, 184	30	281, 282	22
185, 186	11	283, 284	11
187, 188	23	285	32
189, 190	22	286, 287	32
191, 192	11	288, 289	33
193, 194	22	290, 291	33
195, 196	14	292, 293	33
197, 198	11	294, 295	33
199, 200	30	296, 297	33
201, 202	35	298, 298.1	33
203, 204	35	299, 300	26
205, 206	11	301, 302	23
207, 208	11	303, 304	20
209, 210	11	305, 306	20
211, 212	16	307, 308	20
213, 214	17	309, 309.1	32
215	11	310, 311	32
216, 217	32	312, 313	32
217.1	22	314, 315	23
218, 219	11	316	23
220, 221	22	317, 318	32
222, 223	11	319	23
224, 225	32	320, 321	32
226, 227	32		
227.1	26		
228, 229	11		

Page No.	Supplement No.	Page No.	Supplement No.
322, 323	44	421	Deleted
324, 325	32	422, 423	32
326, 327	32	423.1	32
328, 329	32	424	11
330, 331	32	425, 426	34
332, 333	32	427, 428	34
334, 335	32	429, 430	34
335.1, 335.2	44	431, 432	44
335.3, 335.4	44	433, 434	44
336, 337	32	435, 436	34
338, 339	32	437, 438	34
339.1	32	439, 440	37
340, 341	32	441, 442	37
342, 343	32	443, 444	37
344, 345	32	445, 446	37
346, 347	32	447, 448	34
347.1	32	449, 450	40
348, 349	32	451, 452	34
350, 350.1	32	453, 454	34
351, 352	43	455, 455.1	34
353, 354	43	455.2	Deleted
355, 356	32	456, 457	11
357, 358	32	458, 459	42
359	32	460, 461	42
360	Deleted	462, 463	24
361, 362	Deleted	464, 465	16
363, 364	Deleted		
365, 366	Deleted	500, 501	34
367, 368	Deleted	502, 503	34
369, 370	Deleted	504, 505	44
371, 372	Deleted	506, 507	43
373, 374	Deleted	508, 509	34
375, 376	Deleted	510	43
377, 378	Deleted	511	Deleted
379, 380	Deleted		
381, 382	Deleted	[1], [2]	44
383, 384	Deleted	[3]	44
385, 386	Deleted		
387, 388	Deleted		
389, 390	Deleted		
391, 392	Deleted		
393, 394	Deleted		
395, 396	Deleted		
397, 398	Deleted		
399, 400	Deleted		
401, 402	Deleted		
403, 404	Deleted		
405, 406	Deleted		
407, 408	Deleted		
409, 410	Deleted		
411, 412	Deleted		
413, 414	Deleted		
415, 416	Deleted		
417, 418	Deleted		
419, 420	Deleted		

This page intentionally left blank for duplex printers (double sided prints).